

Submission re UHCC Plan Change 49 Variation 1 – Pat van Berkel 22 March 2024

Minute 9 from the Hearing Commissioners 20/2/2024

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The purpose of the reconvened hearing will be to receive and hear (as appropriate):

- (a) The Council’s ecological evidence.*
- (b) Updates, if any, to the s42A report from Council on this matter.*
- (c) Updates, if any, to expert evidence on the matters referred to in (a) or (b) above from any party who has previously made a submission on PC49/V1.*
- (d) Updates, if any, to submissions on the matters referred to in (a) or (b) above on this matter from any party who has previously made a submission on PC49/V1.*

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2. The purpose of this reconvened hearing is very focussed. It is not a rebuttal hearing, nor is it intended to be a second bite at the cherry. It is to help the Panel in its deliberations and to ensure that there are no gaps in the Panel’s knowledge on the specified issue. The point of focus for this hearing is to ensure the Panel has the information it considers necessary with respect to the relevant RPS provisions.

3. In both the submissions phase to this and at the hearing, the Panel will be adopting an “add knowledge” approach. In short, if you have already made a submission there is no requirement to re-submit what you have done so far.

This Submission is in response to Minute 9 which offers the opportunity to submit on UHCC ecological evidence and updates to the UHCC s42A report.

1. The UHCC ecological evidence and updates to the s42A report take a narrow view of the significance of the Spur vegetation. The reduction in the size of the SNA is incorrect.
2. Clause 158 of the UHCC updated evidence report for the s42A report for variation 1 of PC49 recommends reducing the extent of the SNA by removing the gully to the North West of the Silverstream Spur Natural Area. His evidence notes that the “*gully is very narrow, sparsely vegetated, and possibly affected by pest plant species. It also provides little in the way of buffering for the adjacent area of indigenous vegetation*”.
The narrowness of a gully is not a reason to reduce its significance. The gullies on the spur are narrow because of the steepness. Narrow gullies are a natural part of all steep hillsides. They have significance as they remove spring water and stormwater, and harbour water life. The gully is a significant natural area.
3. The overall approach taken to consider “significance” of natural areas has flaws. When considering the protection and restoration of Nature there is no quick approach. It takes about a decade for Nature to turn pine forest into scrub land once the pines are

removed. Indeed, many parts of the Spur pine forest have young native saplings and tree ferns already growing amongst them as evidenced by Jason Durry's submission. It can take many decades for Nature to turn scrub land into mature forest but it is inevitable that, in time, the land will return to mature forest especially if people assist with pest plant and pest animal control.

4. Consequently, in considering the future of the Silverstream Spur, it does not make sense to assess the natural significance of the Spur on the basis of just the designated Significant Natural Areas (SNAs). The areas that are currently not judged to be Significant are only so because they are being judged now in 2024. By 2034 much more of the Spur will be considered Significant. And, once the pines are removed, then as each decade passes more and more of the land will be considered a Significant natural area.
5. The whole Silverstream Spur will exhibit all the characteristics of a SNA within about 100 years if the Spur is protected from development.
6. So, if SNAs are important (which they are), then the whole of the Spur should be considered as a SNA, over a 100 year period.
7. By designating only some parts of the Spur as SNAs means the remaining parts are being considered not significant. But paras 3 to 6 above, point out that the remaining parts of the Spur will become significant in time and **that makes them all significant now** so that the Spur's natural potential is realised.
8. The realisation of the Spur's natural potential is sought by the citizens of Upper Hutt and expressed in countless submissions, involving many, many hours of preparation, and petitions signed by many hundreds of people. **Hear our voice !!**
9. A te ao Maori perspective needs to be followed, that spans multiple generations, rather than adhering to a short term view of Nature that just looks at the plants and wildlife that are on the Spur now.